Pursuant to Federal Rule of Civil Procedure 41(a)(1), all claims and counterclaims

in this action shall be dismissed with prejudice.

Defendant.

David Smith

Schnader Harrison Segal & Lewis LLP 1600 Market Street, Suite 3600 Philadelphia, PA 19103-7286

(215) 751-2190

Attorney for Plaintiff

James M. Andrews, Esquire

Blank Rome LLP

Woodland Falls Corporate Park 210 Lake Drive East, Suite 200 Cherry Hill, NJ 08002

(856) 779-3677

Attorney for Defendant

Dated: November ___, 2007

The clerk of the Court shall mark this action closed and all pending motions devied as most. So ordered Larrey January 13, 2008

Laretta a Presha

usog